

1 of the instant invention contains subject matters that the cited arts, Glogau and McKenna et al, fail to suggest, including:

- (i) a picture panel having a front transparent surface (line 2); and
- (ii) a plurality of **transparent areas provided on the picture film** adapted for enabling a light passing therethrough (lines 5-7); and
- (iii) a plurality of **shading bands having transparent abilities are vertically and spaced formed on the shader slide for providing a vertical moving image** when a light is passing through the shader slide (lines 12-14); and
- (iv) a plurality of **shading stripes having a transparent abilities are spacedly formed on the auxiliary shader slide for providing a moving image** when the light is passing through the auxiliary shader slide (lines 18-20).

3. The dependent claims 2-11 and 16-20 of the instant invention also contain subject matters that the cited arts, Glogau and McKenna et al, fail to suggest, including:

- (v) a **shader film supported in front of the auxiliary shader slide** (claim 2, lines 2-3); and
- (vi) a plurality of **shading steaks having transparent abilities are inclinedly and spacedly formed on the shader film for providing a transversely moving image on the picture film** when the light is passing through the shading stripes longitudinally provided on the auxiliary shader slide and the shading steaks of the shader film respectively (claim 2, lines 3-7);
- (vii) a **film tension adjusting unit for maintaining a tension of the picture film** wherein (claims 5, 10 and 16, line 2); and
- (viii) the film tension adjusting unit comprises a pair of **adjusting shafts rotatably affixed to two opposed edge portions of the picture film**

respectively wherein a free end of the each adjusting shaft is penetrated through the casing to outside, and a pair of operating buttons affixed to the two free ends of the adjusting shafts respectively and arranged to rotatably move the picture film through the adjusting shafts (claims 5, 10 and 16, lines 2-7).

4. Also, the Examiner appears to reason that since McKenna et al teaches that an animated luminous display device comprising horizontally web members which are arranged to be rotated about driving rollers utilizing electric motor, each web has a plurality of images thereon adapted to cooperate with the stationary sheet or the transparency, and a suitable mechanism is provided for effecting travel of various bands which may travel in the same direction, or two in opposite direction, the subject matter as a whole of the claims 12-15 of the instant invention would have been obvious to one skilled in the art to which the subject matter pertains. But McKenna et al fails to suggest the subject matters of the claims 12-15, including:

- (a) a picture panel having a front transparent surface (claim 12); and
- (b) a plurality of transparent areas provided on the picture film adapted for enabling a light passing therethrough (claim 12); and
- (c) a plurality of ***shading bands having transparent abilities are vertically and spacedly formed on the shader slide for providing a vertical moving image*** when a light is passing through the shader slide (claim 12); and
- (d) a plurality of ***shading stripes having a transparent abilities are spacedly formed on the auxiliary shader slide for providing a moving image*** when the light is passing through the auxiliary shader slide (claim 12); and
- (e) the light source is adapted for passing to the picture film ***through the shading bands and the shading stripes so as to reflect the moving images on the picture film*** (claim 12);

- (f) a *first shader film* supported in front of the auxiliary shader slide and *second shader film* supported in front of the shader slide (claim 13); and
- (g) a plurality of *first shading steaks* having transparent abilities are inclinedly and spacedly formed on the shader film for providing a transversely moving image on the picture film when a light is passing through the shading stripes longitudinally on the auxiliary shader slide and the first shader film respectively (claim 13); and
- (h) a plurality of *second shading steaks* having transparent abilities are inclinedly and spacedly formed on the second shader film for providing a transversely moving image on the picture film when a light is passing through the shader slide and the second shader film respectively (claim 13); and
- (i) the first shading steaks and the second shading steaks are inclinedly extended in opposite directions (claim 13).

5. The applicant respectfully submits that this is clearly **not** a proper basis for combining references in making out an obviousness rejection of the present claims. Rather, the invention must be considered as a whole and there must be something in the reference that suggests the combination or the modification. See Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick, 221 U.S.P.Q. 481, 488 (Fed. Cir. 1984) ("The claimed invention must be considered as a whole, and the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination"), In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984), ("The mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.") In re Laskowski, 10 U.S.P.Q.2d 1397, 1398 (Fed. Cir. 1989), ("Although the Commissioner suggests that [the structure in the primary prior art reference] could readily be modified to form the [claimed] structure, "[t]he mere fact that the prior art could be modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.")

6. In the present case, there is no such suggestion. McKenna et al and Glogau perform very different types of devices. McKenna et al merely describes animated luminous display device comprising horizontally web members which are arranged to be rotated about driving rollers utilizing electric motor, each web has a plurality of images thereon adapted to cooperate with the stationary sheet or the transparency. Glogau merely suggests teaches display device comprising vertically rotating display webs (26) which can be driven to rotate by rollers (22-25).

7. In any case, even combining McKenna et al and Glogau would not provide the invention as claimed -- a clear indicia of nonobviousness. Ex parte Schwartz, slip op. p.5 (BPA&I Appeal No. 92-2629 October 28, 1992), ("Even if we were to agree with the examiner that it would have been obvious to combine the reference teachings in the manner proposed, the resulting package still would not comprise zipper closure material that terminates short of the end of the one edge of the product containing area, as now claimed."). That is, modifying Glogau with McKenna, as proposed by the Examiner, would not provide a multi-picture frame having the subject matters (i)-(viii) and (a)-(i), as stated above. By means of the multi-picture frame as claimed in claim 1 to 20, it is adapted to function with multiple pictures to display with moving images. As disclosed in the specification of the instant invention, multiple pictures can be printed on the picture film which is rotatably supporting in the casing and adapted for being view from the front transparent surface of the picture panel. By means of the film tension adjusting unit, the multiple pictures of the picture film are enrolled to one of the adjusting shafts, so that by rotating both shafts can roll the picture film to the other shaft so as to change the picture to be viewed through the picture panel. None of the cited art can performs such effects.

8. Indeed, the only mention of the above subject matters and performance is in applicant's own specification and claims. Accordingly, applicants believe that the rejection of claims 1 to 20 is improper and should be withdrawn. Applicant believes that neither McKenna et al nor Glogau, separately or in combination, suggest or make any mention whatsoever of the above mentioned subject matters (i)-(viii) and (a)-(i), as recited in claims 1 to 20.